February 15, 2022

The Honorable Sharon Quirk-Silva
Chair
Assembly Communications and Conveyance Committee
LOB, Room 169
Sacramento, CA 95814

The Honorable Jim Patterson
Vice Chair
Assembly Communications and Conveyance Committee
LOB, Room 169
Sacramento, CA 95814

Re: California’s Middle Mile Program

Dear Chair Quirk-Silva and Vice Chair Patterson:

We write to express our support for California’s Middle Mile Broadband Initiative effort to date. We represent a range of California based organizations that focus on equity, low income access, social justice, and ending the digital divide. We were strong supporters of Senate Bill 156 (SB 156), passed last year, which sought to deliver universal 21st-century-ready access to all Californians.

Under our infrastructure law, the California Public Utilities Commission was tasked with identifying to the Department of Technology and the “third-party administrator” areas that lack middle-mile infrastructure that meet three conditions: open access, sufficient capacity, and affordable rates. Creating middle-mile infrastructure alone does not meet these statutory requirements—contrary to statements made by industry.¹ To meet the legislature’s intentions, this infrastructure must exist and be offered in an open-access manner with sufficient capacity to scale upwards and be provisioned at an affordable rate.

¹ See Opening Comments of AT&T California (U 1001 C) on Assigned Commissioner’s Ruling Dated August 6, 2021 Regarding Middle-Mile Broadband Network (filed September 10, 2020) at 11 (asserting that the “Commission should deem any privately deployed middle-mile facilities to be affordable” without acknowledging the possibility of monopoly status impacting prices charged above competitive rates).
The legislature set out clear directions for how to achieve this law’s goals. We want to report that the state agencies tasked with these critical duties are meeting the moment and fulfilling their mission in the public interest. Recent projects announced by Governor Newsom to build initial middle-mile infrastructure\(^2\) show a clear-eyed vision of delivering the kind of systemic change communities need to obtain future-proof connectivity. Affordable and future-proof access for all Californians will do more than just end the digital divide. It will also end the equity divide in broadband, by offering options to the many who already have access but simply cannot afford it.

A super majority of Californians consider broadband as important to their lives as electricity and water. The state legislature’s passage of SB 156 reflects its importance to them. We look forward to the implementation of the grants and loan-loss reserve fund this year to continue to build on the valuable work the state has embarked on.

Sincerely,

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*Legislative Coordinator & Advocate*, ACLU California Action

Connie Stewart  
*Chief Policy Advisor*, California Center for Rural Policy

Paul Goodman  
*Legal Counsel*, Center for Accessible Technology

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*Executive Director*, Media Alliance

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*Executive Director*, Michelson Center for Public Policy

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*Executive Director*, NextGen California

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*Project Director*, Oakland Undivided Coalition

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*Chief Executive Officer & Co-Founder*, Sonic Telecom

Amy Cortina Mathias  
*Senior Vice President of Strategic Partnership*, UNITE-LA